



Entered on Docket  
July 02, 2010

*Bruce A. Markell*

Hon. Bruce A. Markell  
United States Bankruptcy Judge

WILDE & ASSOCIATES  
Gregory L. Wilde, Esq.  
Nevada Bar No. 004417  
212 South Jones Boulevard  
Las Vegas, Nevada 89107  
Telephone: 702 258-8200  
Fax: 702 258-8787  
Wells Fargo Bank, N.A.  
09-78037

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In Re:

Harry Akoopie

Debtor.

BK-S-09-31820-bam

MS Motion No. 57

Date: July 9, 2010

Time: 1:30 p.m.

Chapter 13

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the  
2 post-petition arrearages currently due as follows:

3 3 Monthly Payments(s) at \$1,998.62	\$5,995.86
4 (April 1, 2009 - June 1, 2010)	
5 3 Late Charge(s) at \$83.66	\$250.98
6 (April 16, 2009 - June 16, 2010)	
7 Motion for Relief Filing Fee	\$150.00
8 Attorneys Fees	\$750.00
9 Suspense Amount	(\$1,200.00)
10 Total	\$5,946.84

11 The total arrearage shall be paid in six monthly installments. Payments one  
12 through five (1-5) in the amount of \$ 991.14 shall be in addition to the regular monthly payment  
13 and shall be due on or before the 20th day of the month commencing with the July 20, 2010  
14 payment and continuing throughout and concluding on or before November 20, 2010. The sixth  
15 final payment in the amount of \$ 991.14 shall be paid on or before December 20, 2010.

16 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor  
17 shall give Debtor at least five business days' notice of the time, place and date of sale.

18 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume  
19 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,  
20 beginning with the July 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering the  
21 subject Property, generally described as 9608 Runaway Court , Las Vegas, NV 89117, and legally  
22 described as follows:

23 Parcel 1:

24 Lot 17 in Block 3 of The Lakes Estates Unit No. 1, as shown by map thereof on file in Book 37 of  
25 Plats, Page 14 and amended by Certificate of Amendment recorded August 31, 1987 in Book  
26 870831 as Document No. 00727 and recorded March 10, 1988 in Book 880310 as Document No.  
00375 in the Office of the County Recorder of Clark County, Nevada.

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Parcel 2:

A non-exclusive easement on and over the "Common Area" as defined in the Declaration of Covenants, Conditions and Restrictions to which reference is hereafter made for access, use, occupancy, enjoyment, ingress and egress of the amenities located thereon subject to the terms and provisions of said Declaration of Covenants, Conditions and Restrictions recorded January 20, 1987 in book 870120 of Official Records as Document No. 00088. The Common Area is for use of Owners of lots which are subject to the Declaration of Covenants, Conditions and Restriction and is not for use of general public.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By 

GREGORY L. WILDE, ESQ.

Attorneys for Secured Creditor

212 South Jones Boulevard

Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

Rick A. Yarnall

Narrah F. Newark

By \_\_\_\_\_

By \_\_\_\_\_

Rick A. Yarnall

Narrah F. Newark

Chapter 13 Trustee

Attorney for Debtors

701 Bridger Avenue #820

201 LAS VEGAS BLVD., S., #350

Las Vegas, NV 89101

Las Vegas, NV 89101

Parcel 2:

A non-exclusive easement on and over the "Common Area" as defined in the Declaration of Covenants, Conditions and Restrictions to which reference is hereafter made for access, use, occupancy, enjoyment, ingress and egress of the amenities located thereon subject to the terms and provisions of said Declaration of Covenants, Conditions and Restrictions recorded January 20, 1987 in book 870120 of Official Records as Document No. 00088. The Common Area is for use of Owners of lots which are subject to the Declaration of Covenants, Conditions and Restriction and is not for use of general public.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By

**GREGORY L. WILDE, ESQ.**  
Attorneys for Secured Creditor  
212 South Jones Boulevard  
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

Rick A. Yarnall

By

*[Signature]* 6-28-10  
Rick A. Yarnall  
Chapter 13 Trustee  
701 Bridger Avenue #820  
Las Vegas, NV 89101

Narrah F. Newark

By

*[Signature]*  
Narrah F. Newark  
Attorney for Debtors  
201 LAS VEGAS BLVD., S.. #350  
Las Vegas, NV 89101

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☒ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☐ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor